

1 DAVID L. SKELTON Bar # 96250
CHAPTER 13 TRUSTEE
2 525 B STREET SUITE 1430
SAN DIEGO CA 92101
3 (619) 338-4006
FAX: (619) 572-5242
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5 UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

6 IN RE:) CASE NO: **09-06604-T13**
7)
MICHAEL STEVENSON) MOTION FOR FINDING THAT DEBTORS NOT
8) ENTITLED TO A DISCHARGE § 1328(f)
9)
Debtor(s))

10 David L. Skelton, Chapter 13 Trustee, hereby moves the Court for an order
11 finding that the Debtor(s) are not entitled to a Discharge in this case. It appears
12 from the record that Debtor(s) was a debtor(s), and received a discharge in Chapter
13 7 case number **09-00376-LT7**. The prior case was filed on **January 15, 2009**, and a
14 discharge was entered on **April 21, 2009**.

15 Pursuant to 11 U.S.C. §1328(f) the Court shall not grant a discharge of all
16 debts provided for in the plan or disallowed under section 502, if the debtor(s) has
17 received a discharge in a case filed under chapter 7, 11, or 12 of this title during
18 the 4-year period preceding the date of the order for relief under this chapter or
19 in a case under chapter 13 of this title during the two year period preceding the
20 date of such order.

21 WHEREFORE the Chapter 13 Trustee prays for an order finding the Debtor(s) are
22 not entitled to a discharge in this case.

23 Respectfully submitted,

24 DATE: **August 11, 2009**

/s/ David L. Skelton

25 DAVID L. SKELTON
CHAPTER 13 TRUSTEE

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I am employed in the County of San Diego, State of California. I am over the age of eighteen and not a party to the within action. My business address is: David L. Skelton, Chapter 13 Trustee 525 B Street, Suite 1430, San Diego California 92101.

I served the following documents described as:

MOTION FOR A FINDING THAT DEBTOR(S) NOT ENTITLED TO A DISCHARGE § 1328 (f) on the Debtor(s) attorney, or the Debtor if in proper, in this action by placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at San Diego, California addressed as follows:

MICHAEL STEVENSON
2336 SUMAC DRIVE
SAN DIEGO CA 92105

JOSEPH J. REGO, ESQ.
8765 AERO DRIVE #306
SAN DIEGO CA 92123

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 11, 2009

/s/ Patricia Morgan
Patricia Morgan, Clerk for
DAVID L. SKELTON
CHAPTER 13 TRUSTEE
525 B STREET, SUITE 1430
SAN DIEGO CA 92101